

Remarks

Reconsideration of this Application is respectfully requested.

Upon entry of the foregoing amendment, claims 1-8, and 10-24 are pending in the application, with claims 1, 22, and 24 being the independent claims. No claims have been amended in this response.

Based on the following remarks, Applicants respectfully request that the Examiner reconsider all outstanding objections and rejections and that they be withdrawn.

Rejections under 35 U.S.C. § 103(a)**Claims 1-6, 10, and 21-24**

Claims 1-6, 10, and 21-24 were rejected under 35 U.S.C. 103(a) as allegedly being unpatentable over Ho (Australian Patent No. 776,008). This ground of rejection is respectfully traversed.

In overview, although Ho may be interpreted as teaching the concept of awarding a jackpot to a machine that causes a contribution-based trigger, the teachings do not extend to the multi-tier arrangement presently being claimed here.

In broad terms, Ho discloses two general approaches for prize determination:

- (i) The approach of FIG. 2, whereby for each bet received a contribution amount is re-calculated to determine whether a prize is to be awarded.

(ii) The approach of FIG. 3, whereby random numbers defined at individual machines are compared with a random number generated by a jackpot controller, thereby to determine whether a prize is to be awarded.

Of these, only approach (i) is of any particular relevance to the present claims. In terms of approach (i), the following extract from Ho at page 7, lines 16-20 details the approach used:

For each bet received 206, the amount in the contribution pool is calculated 208. The amount in the contribution pool is compared to the jackpot amount 210. Where the jackpot amount is equal to the contribution pool amount, the gaining machine 104 on which the bet causing the jackpot amount to equal the contribution amount was placed is awarded the jackpot 212.

An important point to note is that in Ho each bet is considered on an individual basis, thereby to determine whether the trigger (*i.e.*, jackpot amount = contribution amount) is satisfied. This is made clear both in the extract above, and in FIG. 2.

The invention defined in claims 1, 22 and 24 does not consider each bet on an individual basis as taught by Ho. Rather, auxiliary controllers collate contribution data for a plurality of bets, thereby to define a total contributory amount. The total contributory amounts are communicated to a primary controller, and the primary controller then makes a determination in relation to whether a prize should be awarded. That is, the primary controller does not consider individual bets when making a determination as to whether a prize is to be awarded. Rather, the primary controller makes this determination based on what are effectively batched totals, in the form of total contributory amounts, provided by the auxiliary controllers. This is particularly significant in terms of applying the present technology on a large scale.

The Examiner contends that Ho discloses a gaming site, which is able to be compared with an auxiliary controller (at least in the sense that it interposes a plurality of gaming machines and a central jackpot controller). However, Ho's teaching as to how the gaming site becomes involved in the prize determination process is limited to the following extract from page 8, lines 5-23:

Where the system 100 includes gaming machines 104a-e associated with a gaming site 108, the system controller 102 may not have information regarding the particular gaming machine 104d or 104e that produced the winning result. In this case, the award to the winning gaming machine 104d or 104e is made through the gaming site 108, which maintains a record of bets placed on the gaming machines 104d and 104e, and which therefore can determine which of the gaming machines 104d or 104e placed the bet that resulted in the winning combination.

As a starting point, it is clear in the context of Ho's disclosure that this extract is solely relevant to approach (ii) discussed above, which is irrelevant to contribution-based prize determinations (and therefore irrelevant to the present invention). Not only does this extract follow on directly from the specific discussion of approach (ii), it specifically refers to a "winning combination" being the matching combination of a first random number and a second matching number. There is nothing here to suggest that this extract could be applied to approach (i).

Furthermore, even if the teachings of this extract were to be applied to approach (i), the teachings of Ho remain limited to a situation where bets are considered on a one-by-one basis, as discussed above. Therefore, Ho does not teach important features of claim 1 relating to the derivation of total contributory amounts at auxiliary controllers. This is a feature of the claimed technology, given the manner by which it streamlines communications between auxiliary controllers and the primary controller. The bet-by-bet analysis of Ho could not succeed in large scale applications (i.e. with a large number of auxiliary controllers and individual machines), for instance given the processing overheads involved. In this regard, it

is pointed out that a typical polling period disclosed in the subject application is one second. That is, a total contributory amount is calculated for machines connected to an auxiliary controller on a second-by second basis. This provides some context as to the bulk of information being dealt with in large applications, and highlights significant deficiencies of the Ho teachings.

The features of the invention described above are incorporated into the claims presented herein. For example, claim 1 recites at least the following features not found in Ho:

receiving the total contributory amounts from the auxiliary controllers;

processing each total contributory amount to update a contributory revenue value;

. . . .

identifying a particular one of the total contributory amounts that caused the total contributory revenue to reach the trigger value; and

identifying the particular one of the auxiliary controllers that provided the particular total contributory amount;

. . . .

identifying a particular one of the gaming terminals that provided the particular one of the gaming machine accumulated amounts; and

determining that a prize is to be allocated to that particular one of the gaming terminals.

Claims 22 and 24 contain analogous features not found in Ho.

Claims 2-6, 10 and 21 depend directly or indirectly from claim 1. Claim 23 depends from claim 22. These dependent claims are patentable over Ho for at least the same reasons as their respective independent claims in addition to their own respective features.

For the reasons set forth above, it is clear that claims 1-6, 10, and 21-24 recite features that are nowhere found in Ho nor would they have been obvious to one of ordinary skill in the art from Ho's disclosure. Ho cannot be applied to reject the claims under 35 U.S.C. §103(a). Therefore, reconsideration and withdrawal of the Examiner's rejection is respectfully requested.

Claim 7

Claim 7 was rejected under 35 U.S.C. 103(a) as being allegedly unpatentable over Ho in view of Karmarker (U.S. Patent No. 6,508,709). This ground of rejection is respectfully traversed.

Claim 7 depends from claim 1 and incorporates all of the features recited in claim 1. For reasons set forth above, it is Applicant's position that Ho does not teach or suggest specific features recited in claim 1. Karmarker contains no teaching or suggestion that overcomes the deficiencies of Ho with respect to claim 1. Therefore, the combination of Ho and Karmarker cannot render claim 7 obvious under 35 U.S.C. 103(a).

Reconsideration and withdrawal of the Examiner's rejection is respectfully requested.

Claim 8

Claim 8 was rejected under 35 U.S.C. 103(a) as being allegedly unpatentable over Ho in view of Giobbi (U.S. Pub 2003/0045354). This ground of rejection is respectfully traversed.

Claim 8 depends from claim 1 and incorporates all of the features recited in claim 1. For reasons set forth above, it is Applicant's position that Ho does not teach or suggest specific features recited in claim 1. Giobbi contains no teaching or suggestion that

overcomes the deficiencies of Ho with respect to claim 1. Therefore, the combination of Ho and Giobbi cannot render claim 8 obvious under 35 U.S.C. 103(a).

Reconsideration and withdrawal of the Examiner's rejection is respectfully requested.

Claims 19-20

Claims 19-20 were rejected under 35 U.S.C. 103(a) as being allegedly unpatentable Ho in view of Schneider (US Pub. App. 2003/0092484). This ground of rejection is respectfully traversed.

Claims 19-20 depend from claim 1 and incorporate all of the features recited in claim 1. For reasons set forth above, it is Applicant's position that Ho does not teach or suggest specific features recited in claim 1. Schneider contains no teaching or suggestion that overcomes the deficiencies of Ho with respect to claim 1. Therefore, the combination of Ho and Schneider cannot render claims 19-20 obvious under 35 U.S.C. 103(a).

Reconsideration and withdrawal of the Examiner's rejection is respectfully requested.

Conclusion

All of the stated grounds of objection and rejection have been properly traversed, accommodated, or rendered moot. Applicants therefore respectfully request that the Examiner reconsider all presently outstanding objections and rejections and that they be withdrawn. Applicants believe that a full and complete reply has been made to the outstanding Office Action and, as such, the present application is in condition for allowance. If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

Prompt and favorable consideration of this Amendment and Reply is respectfully requested.

Respectfully submitted,

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